

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**BRANDON L. HOWARD, SR.,**

**Petitioner,**

**-v-**

**Case No. 07-C-493**

**PAMELA WALLACE,**

**Respondent.**

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**DECISION AND ORDER**

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Brandon Howard, Sr. (“Howard”), a prisoner incarcerated in Stanley Correctional Institution, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. He also filed a petition to proceed *in forma pauperis* (“IFP”).

The cost to file a petition for a writ of habeas corpus is \$5.00. 28 U.S.C. § 1914(a). Howard admits in his affidavit in support of his petition for IFP that he made \$32.00 last month, and expects to make \$52.00 this month. He also possesses an unidentified amount of money in a bank account. His only expenses are payments due to his former spouse, but he has not yet made any payments to her this year.

Clearly, Howard is more than able to pay the \$5.00 filing fee. Accordingly, the Court must dismiss his action. 28 U.S.C. § 1915(e)(2)(A).

**NOW, THEREFORE, BASED ON THE FOREGOING, IT IS HEREBY  
ORDERED THAT**

Howard's Petition to Proceed *In Forma Pauperis* (Docket No. 2) is **DENIED**.

Howard's Petition for a Writ of Habeas Corpus is **DENIED**, without prejudice.

The clerk is directed to enter judgment and close this case accordingly.

Dated at Milwaukee, Wisconsin, this 5th day of June, 2007.

**SO ORDERED,**

**s/ Rudolph T. Randa**

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**HON. RUDOLPH T. RANDA**  
Chief Judge